

REMARKS

Claims 19-25 have been canceled. Claims 1-18 and 26-27 remain pending in the application. Applicants amend claims 1-2, 6, 9-10, 13-14, 17-18, and 26-27 for clarification and refer to page 21, line 1 to page 22, line 29 and page 25, line 1 to page 26, line 1 in the specification for exemplary embodiments of and support for the claim amendments. No new matter has been added.

Claims 1-5, 9-18, and 26-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,721,272 to Parnafes et al., in view of U.S. Patent No. 6,708,209 to Ebata et al.; and claims 6-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Parnafes et al. in view of Ebata et al., and further in view of U.S. Patent No. 6,336,129 to Ise et al. Applicants amend claims 1-2, 6, 9-10, 13-14, 17-18, and 26-27 in a good faith effort to clarify the invention as distinguished from the cited prior art references. The Examiner's rejections are respectfully traversed.

The Examiner relied upon description of an RSVP proxy in Parnafes et al. as alleged disclosure of the claimed features of an intermediary server that reserves a transmission band between two communication devices. The Examiner acknowledged that Parnafes et al. do not disclose the claimed reserving steps, but relied upon Ebata et al. as a combining reference that allegedly discloses these claimed steps. Ebata et al. describe a technique for guaranteeing communication quality by having the policy servers of organizations exchange their respective quality information (bands).

Even assuming, arguendo, that it would have been obvious to one skilled in the art to combine Parnafes et al. and Ebata et al., the combination would still fail to teach or suggest,

“[a] method of reserving a transmission band of a transmission line for transmitting data via a plurality of Internet service providers on the Internet between a content server and a policy server, the method comprising the steps of:

(a) the content server requesting an intermediary server to reserve the transmission band by transmitting a user policy that includes an ordering number; and

(b) the intermediary server reserving the transmission band for the content server and policy server,

wherein the reserving step further includes the steps of:

receiving the user policy;

searching for IP addresses of policy servers of the plurality of Internet service providers;

transmitting the user policy to each policy server corresponding to one of the plurality of Internet service providers;

receiving a band reservation result from each corresponding policy server;

determining whether the requested band reservation is confirmed by the band reservation results; and

transmitting the band reservation results to the content server,” as recited in amended claim 1. (Emphasis added)

As enumerated on page 1, lines 31-36 of the specification, conventional systems for IP routing do not provide for indicating which ISP a communication is routed through. As such, there is no way of providing paid quality assurance services through an ISP. Advantageously, the claimed feature of a user policy that includes an ordering number solves this problem of conventional systems.

Accordingly, Applicants respectfully submit that claim 1, together with claims 2-18 dependent therefrom, is patentable over Parnafes et al. and Ebata et al., individually and in combination, for at least the above-stated reasons. Claims 26 and 27 include limitations similar to those of claim 1 cited above, and are, therefore, patentable over the cited prior art references for at least the same reasons.

The above statements on the disclosure in the cited references represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically

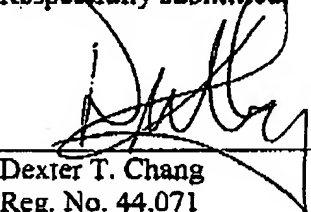
indicate those portions of the respective reference that provide the basis for a view contrary to any of the above-stated opinions.

Applicants appreciate the Examiner's implicit finding that the additional U.S. patents made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


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